

Notice of Allowability

Application No.

10/764,959

Examiner

Robert J. Sandy

Applicant(s)

CROOK, DALE J.

Art Unit

3677

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on 3/27/2006 and phone interview of 4/06/2006.
2. ☒ The allowed claim(s) is/are 3-6,9 and 15-23.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 20060406.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Robert J. Sandy
Primary Examiner
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EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Thomas A O'Rourke (Reg. No. 27,665) on 06 April 2006.

The application has been amended as follows:

18. (Currently amended) An adjustable tie strap, comprising:

(a) an elongated narrow web having first and second ends;

(b) said web having a first edge and a second edge extending from said first and second ends, said web having between said edges and said ends thereof a plurality of spaced apart ratchet teeth each ratchet tooth having a base and an upper tooth surface, said base of said teeth forming a substantially closed surface between said edges and said ends, wherein said web includes a plurality of spaced apart holes formed therethrough~~[[, said holes being sized such that said pawl cannot be received by said hole]]~~;

(c) said first end including a fastener having an aperture;

(d) said fastener including a pawl positioned to engage one of said teeth to prevent withdrawal of said web from said fastener when said second end is inserted through said aperture; said holes being sized such that said pawl cannot be received by any one of said holes; and

(e) a release tab coupled with said fastener for flexing said fastener to disengage said pawl from said one of said teeth for releasing said web from said fastener.

21. (Currently Amended) An adjustable tie strap, comprising:

(a) an elongated narrow web having first and second ends and a top surface and a bottom surface, wherein said web includes a plurality of spaced apart holes formed therethrough~~[[, said holes being sized such that a pawl cannot be received by said hole]]~~;

(b) said web including on a surface thereof a plurality of spaced apart ratchet teeth;

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(c) said first end including a fastener having an aperture, said aperture being disposed such that when said second end of said web passes through said aperture said bottom surface of said web contacts said top surface of said web;

(d) said fastener including a pawl positioned to engage one of said teeth to prevent withdrawal of said web from said fastener when said second end is inserted through said aperture; said holes being sized such that said pawl cannot be received by any one of said holes; and

(e) a release tab and an anchor tab positioned in spaced relation coupled with said fastener, and said release tab being positioned to flex said fastener to disengage said pawl from said one of said teeth for releasing said web from said fastener.


EXAMINER'S COMMENT

In view of applicant's amendments to claims 3-6, 9, 15-17, addition of new claims 18-23, and cancellation of claims 1, 2, 7, 8 and 10-14, all objections and rejections indicated in the prior Office action each have been withdrawn. Therefore, claims 3-6, 9 and 15-23 are allowed. New claim 18 has been written to include all the limitations of claims 1 and 2, in which the prior Office action had indicated claim 2 as being allowable if rewritten in independent form including all of the limitations of the base claim (i.e., claim 1) and any intervening claims. Likewise, new claim 21 has been written to include all the limitations of claims 7 and 8, in which the prior Office action had indicated claim 8 as being allowable if rewritten in independent form including all of the limitations of the base claim (i.e., claim 7) and any intervening claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert J. Sandy whose telephone number is 571-272-7073. The examiner can normally be reached on M-F (7:30-4:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J.J. Swann can be reached on 571-272-7075. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


ROBERT J. SANDY
PRIMARY EXAMINER